

REMARKS

A terminal disclaimer and fee are enclosed to overcome the double patenting rejection.

With regard to the obviousness rejection, Applicant asserts that the details of the epitaxial layers, their function, and their materials, as claimed by Applicant, are not known or suggested in the cited references. Applicant has also amended the claims to include a limitation concerning direction of light emitted which very clearly distinguishes the pending claims from the cited art.

The application is believed to be in condition for allowance. If any other fees are due, those fees should be charged to deposit account no. 50-0581.

Respectfully submitted this 17th day of June, 2004.



Daniel P. McCarthy
Reg. No. 36,600
PARSONS, BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
(801) 532-1234